

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:06CR3014
)	
V.)	
)	
LAANTHONY CLETAE CAIN,)	MEMORANDUM
)	AND ORDER
Defendant.)	

The defendant has sent me a letter requesting appointment of new counsel for his appeal. I will deny the request because the matter has been appealed. However, I shall also refer the matter to the Clerk of the Court of Appeals for the Eighth Circuit.

IT IS ORDERED that the Clerk of Court shall file the attached letter and, treating it as a motion, it is denied without prejudice to reconsideration by the Court of Appeals. The Clerk of the Court shall advise the Court of Appeals of this memorandum and order and Mr. Cain's letter.

October 4, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge